

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW HAMPSHIRE

Kerry Kidd

v.

Civil No. 11-cv-350-JL

Edward Reilly, Warden,
Northern New Hampshire
Correctional Facility

O R D E R

Before the court are documents (doc. nos. 12-15) filed by petitioner Kerry Kidd in response to this court's order (doc. no. 9) directing him to amend his petition for a writ of habeas corpus (doc. no. 1) to demonstrate that he has exhausted his state court remedies as to all of his claims. Upon review of the documents filed, the court concludes that Kidd has exhausted his state court remedies, and that the petition may be served upon the respondent.

The petition shall be served upon Edward Reilly, Warden of the Northern New Hampshire Correctional Facility. The Warden shall file an answer or other pleading in response to the allegations made therein. See Rule 4 of the Rules Governing § 2254 Cases in the United States District Courts ("§ 2254 Rules") (requiring reviewing judge to order response to petition).

The Clerk's office is directed to serve the New Hampshire Office of the Attorney General, as provided in the Agreement on Acceptance of Service, copies of this order; the court's February 9, 2010, order (doc. no. 11); the habeas petition (doc. no. 1); and the addenda to the petition (doc. nos. 12-15), including the exhibits thereto.

The Warden shall file an answer or other responsive pleading within thirty (30) days of the date of this Order. See § 2254 Rule 4. The answer shall comply with the requirements of § 2254 Rule 5 (setting forth contents of answer).

Upon receipt of the response, the Court will determine whether a hearing is warranted. See § 2254 Rule 8 (providing circumstances under which hearing is appropriate).

Petitioner is referred to Fed. R. Civ. P. 5, which requires that every pleading, written motion, notice, and similar paper, after the petition, shall be served on all parties. Such service is to be made by mailing the material to the parties' attorney(s).

SO ORDERED.



Landya McCafferty
United States Magistrate Judge

March 22, 2012

cc: Kerry Kidd, pro se

LBM:nmd